

1 RENE L. VALLADARES  
2 Federal Public Defender  
3 State Bar No. 11479  
4 MONIQUE KIRTLEY  
5 411 E. Bonneville Avenue, Ste. 250  
6 Las Vegas, Nevada 89101  
7 Tel: (702) 388-6577  
8 Fax: (702)388-6261

9 Attorney for:  
10 JORGE FRANCO-IBARRA

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

UNITED STATES OF AMERICA,

2:14-cr-173-JCM-PAL

Plaintiff,

**STIPULATION TO CONTINUE  
SENTENCING HEARING**  
(Second Request)

vs.

JORGE FRANCO-IBARRA

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Robert A. Bork, Assistant United States Attorney, counsel for the United States of America, and Rene L. Valladares, Federal Public Defender, and MONIQUE KIRTLEY, Assistant Federal Public Defender, counsel for JORGE FRANCO-IBARRA that the sentencing hearing scheduled on Thursday, May 14, 2015 at 10:00 a.m., be vacated and be continued to a date and time convenient to the Court, but no earlier than twenty-one (21) days.

This Stipulation is entered into for the following reasons:

1. The defendant is in custody but does not oppose a continuance.
2. Mr. Franco-Ibarra would like additional time to provide the court with letters of support from his family. Undersigned counsel will need additional time to receive, translate and present letters of support for the defendant from his family in Mexico.

///

///

1       4.     This is the second request for a continuance of the sentencing hearing.  
2

3       DATED: February 26, 2015  
4

5       RENE L. VALLADARES  
6       Federal Public Defender  
7

DANIEL G. BOGDEN,  
United States Attorney

8       By: /s/ Monique Kirtley  
9       MONIQUE KIRTLEY,  
10      Assistant Federal Public Defender  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

By: /s/ Robert A. Bork  
ROBERT A. BORK,  
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

2:14-cr-173-JCM-PAL

4 Plaintiff,

5 vs.

6 JORGE FRANCO-IBARRA

ORDER

7 Defendant.

8

9 **ORDER**

10 The ends of justice served by granting said continuance outweigh the best interest  
11 of the public and the defendant in a speedy sentencing, since the failure to grant said continuance  
12 would be likely to result in a miscarriage of justice, would deny the parties herein sufficient time  
13 and the opportunity within which to be able to effectively and thoroughly prepare for sentencing,  
14 taking into account the exercise of due diligence.

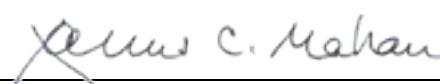
15 The continuance sought herein is excludable under the Speedy Trial Act, title 18, United  
16 States Code, § 3161 (h)(7)(A), when the considering the facts under Title 18, United States Code,  
17 §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

18 IT IS THEREFORE ORDERED that the Sentencing currently scheduled for  
19 Thursday, May 14, 2015 at 10:00 a.m., be vacated and continued to June 10, 2015 at  
20 the hour of 10:00 a.m..

21

22 DATED May 13, 2015.

23

24   
25 UNITED STATES DISTRICT JUDGE